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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/645,568	08/22/2003	Yasunori Miyagawa	G0126.0228	8219
32172 7590 05/31/2007 DICKSTEIN SHAPIRO LLP 1177 AVENUE OF THE AMERICAS (6TH AVENUE) NEW YORK, NY 10036-2714			EXAMINER CHAMPAGNE, LUNA	
			ART UNIT 3627	PAPER NUMBER
			MAIL DATE 05/31/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/645,568	MIYAGAWA, YASUNORI	
	<b>Examiner</b>	<b>Art Unit</b>	
	Luna Champagne	3627	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 02 June 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935.C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☒ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>See Continuation Sheet</u> .                                  | 6) <input type="checkbox"/> Other: _____                          |

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :8/22/2003,2/3/2005,5/12/2005,6/24/2005,6/2/2006.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-12 are rejected under 35 U.S.C. 102(b) as being unpatentable by Wilder (5,408,417).

Re claim 1 and 7, Wilder discloses a ticketing POS terminal comprising a ticket printer for printing and issuing a plurality of kinds of tickets and a customer display section equipped with an input touch panel, the customer display section displaying, on said input touch panel, a list of the tickets to be issued by the ticket printer (See e.g. col. 2, lines 65-68), the ticket printer printing and issuing a desired ticket (s)(See e.g. col.15, lines 3-10) selected by a customer when the customer selectively touches a part of the list where the desired ticket is displayed on said input touch panel, the customer display section further displaying, on said input touch panel, a content and a price of the ticket /each of the tickets selected by the customer and a total ticket purchase price (See e.g. col. 8, lines 5-14).

Re claims 2, 5, 8 and 11, Wilder discloses a ticketing POS terminal, wherein the customer display section further displays, on said input touch panel, a guidance message for the customer (*See e.g. col. 9, lines 33-34*).

Re claims 3 and 9, Wilder discloses a ticketing POS terminal comprising a ticket printer for printing and issuing a plurality of kinds of tickets and a customer display section equipped with an input touch panel, the customer display section displaying, on said input touch panel, a purchase enter key (*See e.g. col. 10, lines 7-14*) and a list of the tickets to be issued by the ticket printer (*See e.g. col. 2, lines 65-68*), the ticket printer printing and issuing a desired ticket /tickets selected by a customer when the customer selectively touches a part of the list where the desired ticket/tickets is/are displayed on said input touch panel and subsequently when the customer touches the purchase enter key, the customer display section further displaying, on said input touch panel, a content and a price of the ticket / each of the tickets selected by the customer and a total ticket (s) purchase price (*See e.g. col.8, lines 5-14*).

Re claims 4 and 10, Wilder discloses a ticketing POS terminal, wherein the customer display section further displays, on said input touch panel, a purchase cancel key so that, when the purchase cancel key is touched before the purchase enter key is touched, purchase of the ticket selected by the customer is cancelled (*See e.g. col. 11, lines 39-41*).

Re claims 6 and 12, Wilder discloses a ticketing POS terminal, wherein the customer display section displays a message "PLEASE SELECT A TICKET" as the guidance message (*See e.g. fig. 7 – "Select Event"*).

### **Conclusion**

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Huegel (5,239,480), Kelly et al. (4,449,186).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Luna Champagne whose telephone number is (571) 272-7177. The examiner can normally be reached on Monday - Friday, 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Florian Zeender can be reached on (571) 272-6790. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3627

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Luna Champagne  
Examiner  
Art Unit 3627

May 16, 2007



Primary Examiner

AU 3627

5/20/07